

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claim 1 (Currently Amended): An apparatus for replacing a damaged spinal disc in a spinal column, said apparatus comprising:

an artificial disc, said artificial disc including a resilient core having a first surface and a second surface, a first retaining member connected to said first surface of said resilient core, and a second retaining member connected to said second surface of said resilient core, said first retaining member having an outer surface engageable with a first vertebra of the spinal column and an inner surface facing said first surface of said resilient core, said second retaining member having an outer surface engageable with a second vertebra of the spinal column and an inner surface facing said second surface of said resilient core, said outer surfaces of said first and second retaining members facing away from each other; and

a first mounting member connectable with the first vertebra and said artificial disc to position said artificial disc between the first and second vertebrae, said first mounting member being engageable with said artificial disc after being connected to the first vertebra to guide movement of said artificial disc into position between the first and second vertebrae, said first retaining member including a guide with an outer surface that extends outwardly from said outer surface of said first retaining member and that is engageable with said first mounting member to guide

movement of said first retaining member into position between the first and second vertebrae.

Claims 2 and 3 (Cancelled)

Claim 4 (Currently Amended): An apparatus as defined in claim ~~3~~1 wherein said guide ~~extends from said outer surface of said first retaining member~~ and is engageable with said surface of the first vertebra.

Claim 5 (Currently Amended): An apparatus as defined in claim 1 wherein said guide is a first guide and one of said first retaining member and ~~said first mounting member~~ also includes first and ~~a~~ second guides engageable with another of said first retaining member and said first mounting member to guide movement of said first retaining member into position between the first and second vertebrae.

Claim 6 (Currently Amended): An apparatus as defined in claim 5 wherein ~~said first retaining member includes said first and second guides engageable with said first mounting member,~~ said first and second guides ~~extending~~ extend generally parallel to each other.

Claim 7 (Currently Amended): An apparatus as defined in claim 1 wherein ~~one of said first retaining member and said first mounting member~~ includes a stop

engageable with ~~another of said first retaining member and~~ said first mounting member to prevent relative movement between said first retaining member and said first mounting member in a first direction.

Claim 8 (Currently Amended): An apparatus as defined in claim 7 wherein ~~said first retaining member includes said stop engageable with said first mounting member to prevent relative movement between said first retaining member and said first mounting member in the first direction,~~ said stop guiding guides movement of said first retaining member relative to said first mounting member in a second direction extending transverse to the first direction.

Claim 9 (Original): An apparatus as defined in claim 1 wherein one of said first retaining member and said first mounting member includes a guide engageable with another of said first retaining member and said first mounting member to guide movement of said first mounting member into an opening in said first retaining member.

Claim 10 (Original): An apparatus as defined in claim 1 wherein said first retaining member has an opening extending through said inner and outer surfaces of said first retaining member, said first mounting member extending into said opening.

Claim 11 (Original): An apparatus as defined in claim 10 wherein said opening extends axially through said inner and outer surfaces of said first retaining member.

Claim 12 (Original): An apparatus as defined in claim 1 wherein said first mounting member is engageable with a surgical tool for connecting said first mounting member to the first vertebra.

Claim 13 (Original): An apparatus as defined in claim 12 wherein said first mounting member includes a recess into which a portion of said surgical tool extends for connecting said first mounting member to the surgical tool.

Claim 14 (Original): An apparatus as defined in claim 1 wherein, said first mounting member includes an inner surface facing said core and spaced from said core, said core deflecting into engagement with said inner surface of said first mounting member upon relative movement between said first and second retaining members.

Claim 15 (Original): An apparatus as defined in claim 14 wherein said inner surface of said first mounting member is concave.

Claim 16 (Original): An apparatus as defined in claim 1 wherein said first mounting member is prevented from moving relative to said artificial disc when said first mounting member is connected to said artificial disc.

Claim 17 (Original): An apparatus as defined in claim 16 wherein said first mounting member is connected to said artificial disc with an interference fit.

Claim 18 (Original): An apparatus as defined in claim 17 wherein said first mounting member has a frustoconical surface engageable with a frustoconical surface on said artificial disc.

Claim 19 (Original): An apparatus as defined in claim 1 further including a second mounting member connectable with the second vertebra and said artificial disc to position said artificial disc between the first and second vertebrae, said second mounting member being engageable with said artificial disc to guide movement of said second retaining member into position between the first and second vertebrae.

Claim 20 (Currently Amended): An apparatus as defined in claim 19 wherein ~~one of said first retaining member and said first mounting member~~ includes said guide is a first guide engageable with ~~another of said first retaining member and said first mounting member~~ to guide movement of said first retaining member into position between the first and second vertebrae, one of said second

retaining member and said second mounting member including a second guide engageable with another of said second retaining member and said second mounting member to guide movement of said second retaining member into position between the first and second vertebrae.

Claim 21 (Currently Amended): An apparatus as defined in claim 20 wherein ~~said first retaining member includes said first guide engageable with said first mounting member,~~ said second retaining member ~~including~~ includes said second guide engageable with said second mounting member.

Claim 22 (Currently Amended): An apparatus as defined in claim 21 wherein ~~said first guide extends from said outer surface of said first retaining member and is engageable with the first vertebra,~~ said second guide ~~extending~~ extends from said outer surface of said second retaining member and ~~being is~~ engageable with the second vertebra.

Claim 23 (Currently Amended): An apparatus as defined in claim 19 wherein said guide is a first guide and one of said first retaining member and ~~said first mounting member~~ also includes first and a second guides guide engageable with ~~another of said first retaining member and said first mounting member~~ to guide movement of said first retaining member into position between the first and second vertebrae, one of said second retaining member and said second mounting member including third and fourth guides engageable with another of said second retaining

member and said second mounting member to guide movement of said second retaining member into position between the first and second vertebrae.

Claim 24 (Currently Amended): An apparatus as defined in claim 23 wherein ~~said first retaining member includes said first and second guides engageable with said first mounting member,~~ said first and second guides ~~extending~~ extend generally parallel to each other, said second retaining member including said third and fourth guides engageable with said second mounting member, said third and fourth guides extending generally parallel to each other.

Claim 25 (Currently Amended): An apparatus as defined in claim 19 wherein ~~one of said first retaining member and said first mounting member includes~~ a first stop engageable with ~~another of said first retaining member and said first mounting member~~ to prevent relative movement between said first retaining member and said first mounting member in a first direction, ~~one of said second retaining member and said second mounting member~~ including a second stop engageable with ~~another of said second retaining member and said second mounting member~~ to prevent relative movement between said second retaining member and said second mounting member in the first direction.

Claim 26 (Currently Amended): An apparatus as defined in claim 25 wherein ~~said first retaining member includes said first stop engageable with said first mounting member to prevent relative movement between said first retaining member~~

~~and said first mounting member in the first direction, said first stop guiding guides~~
movement of said first retaining member relative to said first mounting member in a
direction extending transverse to the first direction, ~~said second retaining member~~
~~including said second stop engageable with said second mounting member to~~
~~prevent relative movement between said second retaining member and said second~~
~~mounting member in the first direction, said second stop guiding movement of said~~
second retaining member relative to said second mounting member in a direction
extending transverse to the first direction.

Claim 27 (Original): An apparatus as defined in claim 19 wherein one of
said first retaining member and said first mounting member includes a first guide
engageable with another of said first retaining member and said first mounting
member to guide movement of said first mounting member into an opening in said
first retaining member, one of said second retaining member and said second
mounting member including a second guide engageable with another of said second
retaining member and said second mounting member to guide movement of said
second mounting member into an opening in said second retaining member.

Claim 28 (Original): An apparatus as defined in claim 19 wherein said first
retaining member has an opening extending through said inner and outer surfaces of
said first retaining member, said first mounting member extending into said opening
in said first retaining member, said second retaining member having an opening
extending through said inner and outer surfaces of said second retaining member,

said second mounting member extending into said opening in said second retaining member.

Claim 29 (Original): An apparatus as defined in claim 28 wherein said opening in said first retaining member extends axially through said inner and outer surfaces of said first retaining member, said opening in said second retaining member extending axially through said inner and outer surfaces of said second retaining member.

Claim 30 (Original): An apparatus as defined in claim 19 wherein said first mounting member includes an inner surface facing said core and spaced from said core, said core deflecting into engagement with said inner surface of said first mounting member upon relative movement between said first and second retaining members, said second mounting member including an inner surface facing said core and spaced from said core, said core deflecting into engagement with said inner surface of said second mounting member upon relative movement between said first and second retaining members.

Claim 31 (Original): An apparatus as defined in claim 30 wherein said inner surface of said first mounting member is concave, said inner surface of said second mounting member being concave.

Claim 32 (Original): An apparatus as defined in claim 19 wherein said first and second mounting members are prevented from moving relative to said artificial disc when said first and second mounting members are connected to said artificial disc.

Claim 33 (Original): An apparatus as defined in claim 32 wherein said first and second mounting members are connected to said artificial disc with interference fits.

Claim 34 (Original): An apparatus as defined in claim 33 wherein said first and second mounting members have frustoconical surfaces engagable with frustoconical surfaces on said artificial disc.

Claim 35 (Original): An apparatus as defined in claim 1 wherein said core includes a radially outer surface extending between said first and second surfaces of said core, said radially outer surface facing a portion of one of said first and second retaining members, said radially outer surface being spaced from said portion of said one of said first and second retaining members, said core deflecting into engagement with said portion of one of said first and second retaining members upon relative movement between said first and second retaining members.

Claim 36 (Original): An apparatus as defined in claim 35 wherein said radially outer surface of said core faces a portion of said first retaining member, said

radially outer surface of said core being spaced from said portion of said first retaining member, said core deflecting into engagement with said portion of said first retaining member upon relative movement between said first and second retaining members, said radially outer surface facing a portion of said second retaining member, said radially outer surface being spaced from said portion of said second retaining member, said core deflecting into engagement with said portion of said second retaining member upon relative movement between said first and second retaining members.

Claim 37 (Original): An apparatus as defined in claim 1 wherein one of said first and second retaining members includes a flange extending toward another of said first and second retaining members, said flange having a radially inner surface facing said core and spaced from said core, said core deflecting into engagement with said radially inner surface upon relative movement between said first and second retaining members.

Claim 38 (Previously Presented): An apparatus as defined in claim 37 wherein said first retaining member includes said flange extending toward said second retaining member, said core deflecting into engagement with said radially inner surface of said flange upon relative movement between said first and second retaining members, said second retaining member including a flange extending toward said first retaining member, said flange of said second retaining member having a radially inner surface facing said core and spaced from said core, said core

deflecting into engagement with said radially inner surface of said flange of said second retaining member upon relative movement between said first and second retaining members.

Claim 39 (Original): An apparatus as defined in claim 1 wherein said inner surface of said first retaining member is concave, said first surface of said resilient core being convex.

Claim 40 (Original): An apparatus as defined in claim 39 wherein said inner surface of said second retaining member is concave, said second surface of said resilient core being convex.

Claim 41 (Original): An apparatus as defined in claim 1 wherein said first retaining member includes a portion engageable with a surgical tool for inserting said artificial disc between the vertebrae.

Claim 42 (Original): An apparatus as defined in claim 41 wherein said second retaining member includes a portion engageable with the surgical tool for inserting said artificial disc between the vertebrae.

Claim 43 (Original): An apparatus as defined in claim 42 wherein said portion of said first retaining member includes an opening into which a portion of the surgical tool extends.

Claim 44 (Original): An apparatus as defined in claim 43 wherein said second retaining member includes a portion with an opening into which a second portion of the surgical tool extends.

Claim 45 (New): An apparatus as defined in claim 1 wherein said guide is a rib.

Claim 46 (New): An apparatus as defined in claim 1 wherein said first mounting member extends out of the first vertebra into engagement with said first retaining member.

Claim 47 (New): An apparatus as defined in claim 1 wherein said first mounting member includes a surface extending toward said outer surface of said first retaining member, said surface of the said first mounting member engaging said guide to guide movement of said artificial disk into position between the first and second vertebrae.